

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT
DOCKETING STATEMENT--CRIMINAL CASES**

Directions: Counsel must make a **docketing statement (criminal)** entry in CM/ECF within 14 days of filing a notice of appeal or cross appeal, or within the due date set by the clerk's docketing notice, whichever is later. File with the entry the (1) docketing statement form and any extended answers, (2) any transcript order form, and (3) any CJA 24 authorization form. Counsel who filed the notice of appeal is responsible for filing the docketing statement even if different counsel will handle the appeal. In criminal cases, counsel who represented the defendant below must continue on appeal unless the court of appeals grants a motion to withdraw. Appellants proceeding pro se are not required to file a docketing statement. Opposing counsel may file objections to the docketing statement within 10 days of service using the ECF event-**docketing statement objection/correction**.

Appeal No. & Caption	14-4650 United States of America v. Leland Victor Nielsen, III
Originating No. & Caption	3:13-cr-00558-TLW-1 United States of America v. Leland Victor Nielsen, III
District Court & Judge	District of South Carolina; Terry L. Wooten

Jurisdiction (answer any that apply)		
Date of entry of order/judgment appealed from	8/20/2014	
Date this notice of appeal filed	8/20/2014	
If cross appeal, date first notice of appeal filed	N/A	
Date of filing any post-judgment motion	N/A	
Date order entered disposing of any post-judgment motion	N/A	
Date of filing any motion to extend appeal period	N/A	
Time for filing appeal extended to	N/A	
Is appeal from final order or judgment?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
If appeal is not from final judgment, why is order appealable?		

<p>Transcript – Order all necessary transcript now. Extensions of the briefing schedule to order additional transcript are disfavored</p> <p>(Identify necessary transcript dates and state whether the transcript is on file or a copy of the transcript order is attached. CJA counsel must attach copy of the CJA 24 with the transcript order.)</p>				
Trial Date(s):	4/1/2014; 4/2/2014; 4/3/2014; 4/4/2014	<input type="radio"/> On File	<input checked="" type="radio"/> Order Attached	<input type="radio"/> Not Needed
Plea Date:	Not Applicable	<input type="radio"/> On File	<input type="radio"/> Order Attached	<input checked="" type="radio"/> Not Needed
Sentence Date:	8/5/2014	<input type="radio"/> On File	<input checked="" type="radio"/> Order Attached	<input type="radio"/> Not Needed
Other Date(s):	3/10/2014;	<input type="radio"/> On File	<input checked="" type="radio"/> Order Attached	<input type="radio"/> Not Needed

<p>Case Handling Requirements (answer any that apply)</p>	
Case number of any prior appeal in same case	N/A
Case number of any pending appeal in same case	N/A
Identification of any case pending in this Court or Supreme Court raising similar issue	N/A
	If abeyance or consolidation is warranted, counsel must file an appropriate motion.
Is expedited disposition necessary?	<input type="radio"/> Yes
	<input checked="" type="radio"/> No
If yes, motion to expedite must be filed.	

<p>Issues (Non-binding statement of issues to raise on appeal. Attach additional page if necessary.)</p> <p>Appeal of judgment of conviction and sentence in a criminal case.</p>
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Appellant's Name & Address	Counsel's Name & Address
Name: Leland V. Nielsen Prisoner 25312-171 Address: E-Mail: N/A Phone: N/A	Name: C. Fredric Marcinak Address: Smith Moore Leatherwood LLP PO Box 87 Greenville, SC 29602-0087 E-Mail: fredric.marcinak@smithmoorelaw.com Phone: (864) 751-7691

Signature: <u>s/C. Fredric Marcinak</u>	Date: <u>9/9/2014</u>
Counsel for: <u>Leland Victor Nielsen, III</u>	

Certificate of Service: I certify that on <u>September 9, 2014</u> the foregoing document was served on all parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by serving a true and correct copy at the addresses listed below:	
James Hunter May, Esq. U.S. Attorney's Office 1441 Main Street, Suite 500 Columbia, SC 29201	
Signature: s/C. Fredric Marcinak	Date: September 9, 2014